

In the claims:

1. (currently amended) A radio control protocol for use by devices in a wireless communications environment wherein multiple channels are available for communication, comprising:

transmission of channel claim messages by ones of a plurality of fixed location wireless devices operable to provide network access, each channel claim message being indicative of an intent to utilize a channel for communications with associated mobile wireless terminal devices at some subsequent point in time, wherein each fixed location device uses the claim messages it sends and receives to select a channel on which to communicate;

transmission of presence announce messages by the fixed location devices, the announce messages being indicative of presence of the transmitting device, magnitude of intentional ~~transmitter transmission~~ power attenuation by the transmitting device, and protocol capability of the transmitting device; and

an association auction including:

transmission of an association bid message from a mobile wireless terminal device to a particular fixed location device, the bid message being a request to communicate in the wireless communications environment via the particular fixed location device, and wherein a decision to send a bid message is based at least in-part on an indication that the receiving device is capable of providing better service as a function of magnitude of intentional transmitter ~~transmission~~ power attenuation by the particular fixed location device; and

transmission of an accept message by the particular fixed location device in response to the bid message, the accept message indicating that the particular fixed location device will allow the wireless terminal device which transmitted the bid message to

communicate in the wireless communications environment via the particular fixed location device, and wherein the particular fixed location device does not send an accept message to the wireless terminal device which transmitted the bid message if the particular fixed location device determines to not accept the request to associate.

2. (previously presented) The protocol of claim 1 further comprising:

exchange of registration request messages between devices, wherein a sending device sends a registration request message to a receiving device to indicate that the sending device desires to communicate in the wireless communications environment via the receiving device using the radio control protocol;

exchange of registration acknowledge messages between wireless devices, wherein a sending device sends a registration acknowledge message to a receiving device in response to a registration request message, to indicate that the sending device understands that the receiving device will communicate in the wireless communications environment using the radio control protocol.

3. (cancelled)